(SRI H. M. CHANNABASAPPA.)

(*b*) Does not arise.

(*c*) The comparatively large area at present comprising the Sugarcane block and the need to maintain supply of water over long stretches of the Channel for the required periods is one of the factors that have led to restricted supply to tail-end regions.

Pay Structure Committee.

Q.—622. SRI K. PRABHAKAR (Nelamangala—Scheduled Castes).—

Will the Government be pleased to state :—

(*a*) the extra cost to Government if all the recommendations of the "Pay Structure Committee" are put into practice ;

(*b*) if only the N.G.O.'s claims as per the proposals are accepted, what will be the total expenditure ;

(*c*) what is the percentage of the cost of administration before (now) and after the proposals, if executed ?

A.—SRI K. HANUMANTHAIYA (Chief Minister).—

(*a*) Rs. 200 lakhs a year.

(*b*) Rs. 185 lakhs a year.

(*c*) If the information required is the percentage of expenditure on salaries and establishment to net Revenue it is 44 per cent now and will be 54 per cent if the recommendations of the Pay Structure Committee are accepted.

Short-notice Question No. 1.

SRI J. MOHAMED IMAM.—Regarding Short-notice Q. No. 1, I want to know at what stage a subject matter would become *sub judice*—whether it could be *sub judice* when the matter is pending before the Police and still under investigation. Sir, that is a matter which is pending before the Police and the Government say that the matter is *sub judice*. I think, when the matter is still under investigation by the Police, it cannot be a matter of *sub judice* and any question on this matter is relevant.

SRI H. SIDDAVEERAPPA.—If the Hon'ble Member refers to Criminal Procedure Code, he will see that even inquest proceedings are judicial proceedings. In this case, inquest has taken place by the Magistrate.

PRIVILEGE MOTION.

Re: Eligibility of Sri H. M. Channabasappa to continue as Assembly Member.

MR. SPEAKER.—Sri Mulka Govinda Reddy gave notice yesterday of a motion of privilege alleging that an Election Tribunal had declared the bye-election of Hon'ble Sri H. M. Channabasappa to be void. He therefore stated, that by sitting in the House when he was no longer a member there had been a breach of privilege committed by him. Several Hon'ble Members spoke on this notice. Reference was made to the Representation of the People Act and to Articles 164, 192 and 193 of the Constitution also.

In the light of the express provision of Section 107 of the Representation of the People Act, 1951, I think all the arguments advanced by the Hon'ble Members yesterday are premature. An order of Election Tribunal under Section 98 or 99 takes effect only on its publication in the *Gazette of India* under Section 106. Until therefore, the order of the Election Tribunal in regard to the petition against Hon'ble Sri H. M. Channabasappa appears in the *Gazette of India*, he continues to be a member and is entitled to sit and take part in the proceedings of the House.

According to Section 106 of the same Act, a copy of the Order will be forwarded to the Speaker by the Election Commission and also published in the Gazette. That stage has not yet been reached in the present case. Further, in the light of Article 193 which provides penalties in the case of a person sitting or voting in the House when he is not qualified to do so or disqualified from doing so, there is no question of breach of privilege either.